



MISSOURI DEPARTMENT OF MENTAL HEALTH

KEITH SCHAFER, DEPARTMENT DIRECTOR



DEPARTMENT
OPERATING
REGULATION
NUMBER

DOR
4.480

CHAPTER Program Implementation and Records	SUBCHAPTER Release Discharge Procedures	EFFECTIVE July 1, 2008	NUMBER OF PAGES 2	PAGE 1 of 2
SUBJECT Policies and Procedures for Granting Passes to Criminally Committed Clients		AUTHORITY Section 630.050, RSMo		HISTORY See Below
PERSON RESPONSIBLE Director, CPS			SUNSET DATE July 1, 2011	

PURPOSE: Prescribes policies and procedures for granting of passes to clients committed under Chapter 552, RSMo or committed to the Department of Mental Health as Criminal Sexual Psychopaths.

APPLICATION: Applies to all facilities confining criminally committed clients. Passes should not be confused with trial, immediate conditional, conditional or unconditional release requests (as defined in DOR 4.475).

- (1) For purposes of this DOR, the following terms mean:
 - (A) "Forensic client," a client committed to the Department of Mental Health under 552.020, 552.030, or 552.040, RSMo.
 - (B) "Pretrial client," a client ordered to undergo an evaluation of competence to proceed to trial and/or criminal responsibility under 552.020 or 552.030, RSMo.
 - (C) "Incompetent to proceed client," a client committed to the department for care and treatment to restore competence under 552.030, RSMo.
 - (D) "Not guilty by reason of mental disease or defect (NGRI)," a client committed to the department for care and treatment under 552.040, RSMo.
 - (E) "Secure Perimeter," a boundary established by a series of locked doors and fences designed to prevent unauthorized absences, ingresses or egresses."
- (2) Forensic clients shall be given increased pass privileges in a graduated, systematic process which reflects their progress in treatment and which reflects consideration of all appropriate risk factors.
- (3) All pass requests should be processed using the current "Request for Passes and Privileges."
- (4) All passes for forensic clients shall be approved by the superintendent or his or her designee, and shall be documented using the current "Request for Passes and Privileges" which explains the purpose of the pass and provides clinical justification for the pass. The appropriateness for the pass shall be determined by the superintendent in consultation with the treatment team and treating psychiatrist or designee taking into consideration all current risk assessment information, which will include a review of clinical and legal issues. The pass authorization and the appropriate progress note must be reviewed monthly or more frequently as needed. Successful completion of previous passes may be considered in future requests.
- (5) Pretrial clients shall not have unescorted passes unless specifically granted by the referring court. This includes the term "police hold". In addition, all clients admitted for pretrial evaluations shall not leave the secure perimeter, and must be escorted at all times within the secure perimeter.



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(6) Clients committed as NGRI, or as criminal sexual psychopath may leave the grounds of a facility only when personally supervised by Department of Mental Health staff unless they are NGRI clients on a Trial or Conditional Release.

(7) Clients committed as NGRI may be granted escorted passes into the community. All such passes require escort by facility staff and staff are required to carry a communication device at all times. All off campus passes shall be approved by the Superintendent or his designee and documented in the medical record with a physicians order.

(8) Clients committed as incompetent to proceed may be granted escorted privileges within the secure perimeter. Escort outside of the secure perimeter should only be permitted for necessary medical appointments.

(9) Clients committed as NGRI or as criminal sexual psychopaths may be granted unescorted passes on the grounds of the facility up to a maximum of thirty minutes. This time limit may not be exceeded without a process by which the client checks in with staff. Those on unescorted status require the staff to call prior to the client leaving for a program or work site and call back when the client is returning to the ward or cottage.

(10) Any pass off of the facility's grounds for an NGRI client which is not supervised by department staff shall be considered a trial release or a conditional release as governed by DOR 4.475 and Section 552.040.

(11) Each facility shall develop a written procedure outlining the criteria for granting, monitoring and withdrawing various passes for forensic clients. The facilities pass procedures may be more restrictive than this regulation, but may not be less restrictive.

(12) Variations to the above requirements may be requested and approved by the Director of Forensic Services on an individual case basis when unique needs of clients or facilities warrant such variation.

(13) Quality Assurance. The head of the mental health facility where clients committed under Section 552 reside shall, through the forensic coordinator or other designee, ensure that all appropriate staff are trained regarding the policies and procedures contained in this DOR.

HISTORY. Original DOR effective September 1, 1990. Reinstated January 1, 1994. Amendment effective August 1, 1998. Amendment effective July 1, 1999. Amendment effective July 1, 2002. Amendment effective July 1, 2005. On July 1, 2008 the sunset date was extended to July 1, 2011.